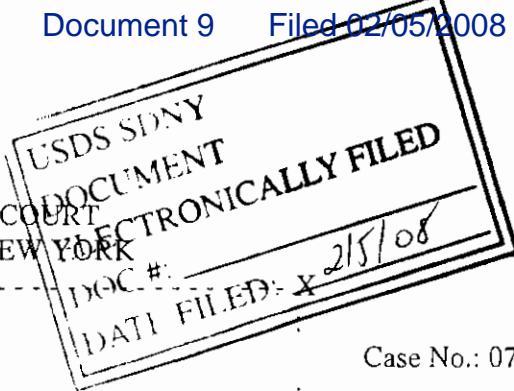


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

INTRALINKS, INC.,

Case No.: 07 CIV 8697 (RJS)

Plaintiff,

CASE MANAGEMENT PLAN
AND SCHEDULING ORDER

-against-

ECF

EXADEL, INC.,

Defendant.

X

RICHARD J. SULLIVAN, District Judge:

At the conference before the Court held on **February 5, 2008**, this Case Management Plan and Scheduling Order was adopted in accordance with Rules 16-26(f) of the Federal Rules of Civil Procedure.

1. All the parties do not consent to disposition of this case by a Magistrate Judge, pursuant to 28 U.S.C. § 636(c).
2.
 - a. Plaintiff requests that this case be tried by a jury.
 - b. Defendant maintains that Plaintiff has not timely sought trial by jury
3. No additional parties may be joined except with leave of the Court.
4. Amended pleadings may not be filed except with leave of the Court.
5. Initial disclosures pursuant to Rule 26(a)(1) will be completed no later than **March 14, 2008**.
6. All fact discovery is to be completed no later than **August 29, 2008**.
7. The parties are to conduct discovery in accordance with the Federal Rules of Civil Procedure and the Local Rules of the Southern District of New York. The following interim deadlines may be extended by the parties on consent without application to

the Court, provided the parties meet the fact discovery completion date in ¶ 6 above.

- a. Initial requests for production of documents to be served by **March 31, 2008**;
31
- b. Interrogatories to be served by **March 10, 2008**;
- c. Depositions to be completed by **July 30, 2008**.
 - i. Unless the parties agree or the Court so orders, depositions are not to be held until all parties have responded to initial request for document production.
 - ii. There is no priority in depositions by reason of a party's status as plaintiff or defendant.
 - iii. Unless the parties agree or the Court so orders, non-party depositions shall follow initial party depositions.
- d. Requests to Admit to be served no later than **August 11, 2008**.

8. All expert disclosures, including reports, production of underlying documents, and depositions are to be completed by:

- a. Expert(s) of Plaintiff by **August 15 2008**;
- b. Expert(s) of Defendant by **August 29, 2008**. *September 5*

9. All discovery is to be completed no later than ~~July 15, 2008~~.

10. The Court has scheduled a post-discovery status conference (see ¶ 16) for Sept. 18, 2008 at 4 pm

11. Pre-Motion letters regarding dispositive motions, if any, are to be submitted no later than **August 27, 2008**. In accordance with this Court's Individual Rule 2.A, response letters thereto are to be submitted by **September 3, 2008**.

12. All counsel must meet for at least one hour to discuss settlement not later than two weeks following the close of fact discovery. Accordingly, Counsel for parties have discussed holding a settlement conference before a Magistrate Judge or the southern District's Mediation Program and request: [check one]

a. Referral to a Magistrate Judge for settlement discussions. *MJ Peck will contact the parties by mid April 2008.*

b. Referral to the Southern District's Mediation Program.

13. The parties shall submit a Joint Pretrial Order prepared in accordance with the undersigned's Individual Practice Rule 3 and Rule 26(a)(3). If this action is to be tried before a jury, proposed voir dire, jury instructions, and a verdict form shall be filed with the Joint Pretrial Order. Counsel are required to meet and confer on jury instructions and verdict forms in an effort to make an agreed upon submission.

14. Parties have conferred and their present best estimate of the length of trial is three (3) days.

TO BE COMPLETED BY THE COURT:

15. [other directions to the parties:] *Parties are to submit papers re: Plaintiff's alleged waiver to jury trial. Plaintiff's do papers by Feb. 15. Defendants response by February 26.*

16. The post-discovery status conference is scheduled for Sept. 18 at 4 pm

SO ORDERED:

DATED: New York, New York
February 5, 2008


RICHARD J. SULLIVAN
UNITED STATES DISTRICT JUDGE